THE HON'BLE SRI JUSTICE GOPALA KRISHNA TAMADA

WRIT PETITION No.17899 of 2003

Dated : 11.07.2007

Between:

Rama Venkata Ratna Rice Mills, Narasimhapuram,
Bhimavaram Mandal, West Godavari District.

..... PETITIONER

And:

Eastern power Distribution Company of A.P.,Litd.,
At Eluru, West Godavari District and others.

.....RESPONDENTS

THE HON'BLE SRI JUSTICE GOPALA KRISHNA TAMADA

WRIT PETITION No.17899 of 2003

ORDER:

Petitioner challenges the order dated 01.08.2003 passed by the third respondent-Assistant Accounts Officer, stating that during inspection by the Accountant General Audit for the month of February 1997, there was shortage of assessment and the petitioner was directed to pay a sum of Rs.48,438.60 within 30 days from the date of receipt of the order.

While issuing rule nisi on 28.01.2004, this Court suspended the impugned order dated 01.08.2003. However, as the impugned order is passed based on the audit report, instead of going into merits of the

case, this Court feels it appropriate to give an opportunity to the petitioner to offer his explanation before the third respondent as to how he is not liable to pay the said amount.

Accordingly, this writ petition is disposed of with a direction to the petitioner to offer his explanation before the third respondent, as to how he is not liable to pay the said amount, within a period of four weeks from the date of receipt of a copy of this order, and the third respondent may pass appropriate orders thereon within a period of four weeks thereafter. There shall be no order as to costs.

sh 11.07.2007